

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, September 24, 2014
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Janet Carlson and Commissioner Kevin Cameron. Also present were John Lattimer as chief administrative officer, Gloria Roy as county counsel and Kim Hulett as recorder.

ABSENT: Commissioner Sam Brentano.

Commissioner Carlson called the meeting to order at 9:00 a.m.

PUBLIC COMMENT

None.

CONSENT

ASSESSOR/BOARD OF COMMISSIONERS

Approve an order approving a settlement agreement with Manatron, Inc./Thomson Reuters to receive \$713,000 and delegate signature authority to Chief Administrative Officer.

BUSINESS SERVICES – HUMAN RESOURCES

Approve recommendation to reclassify two Programmer Analyst 3 positions to IT Project Managers.

Approve recommendation to reactivate, rename, and establish the classification of County Public Information Coordinator.

Approve recommendation to adjust the pay range for Chief Administrative Officer, Chief Financial Officer, and Project Engineer.

Approve recommendation to uphold the following classifications: Civil Engineer Trainee, Civil Engineer Associate 1, and Civil Engineer Associate 2.

MOTION: Commissioner Cameron moved approval of the consent calendar.
Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

ACTION

Video Time (00:02:53)

BUSINESS SERVICES

1. Consider recommendations by the Health Insurance Study Committee (HISC) to adopt adjustment to the HSA employer contribution and changes to the Kaiser HMO health plan. – Justine Flora

Summary of presentation:

- One regulatory increase:
 - Moda administered Consumer Directed Health Plan (CDHP) annual deductible:
 - Increase incorporated into renewal.
- HISC recommended changes to Kaiser HMO plan:
 - Increase annual deductible from \$150 to \$500;
 - Increase annual out-of-pocket maximum from \$600 to \$3,000; and
 - Add third tier to prescription drug benefit for specialty drugs at 50 percent coinsurance up to a maximum of \$100 per prescription.
- Recommended adjusting Health Savings Account (HSA) employer contribution to maintain a 50 percent level of the corresponding increased deductible for the CDHP:
 - Total annual increase for 2015 is \$120,900.
- Total annual HMO plan increase 3.6 percent over 2014 rates.

Board Discussion:

- Health benefit renewal process;
- Health benefit dollar cap:
 - Amount Marion County agrees to contribute per employee for health benefits; and
 - HISC works to provide employees maximum amount of health benefit within dollar cap.
- Several bargaining units within Marion County:
 - Some are strike-prohibited public safety bargaining units.
- Menu of health-care options;
- HISC recommendations previously discussed at September 22, 2014, Management Update meeting;
- Safety and Wellness Coordinator position created to promote employee wellness/reduce health care costs; and
- Commended HISC for working to keep costs down for both employees and taxpayers.

MOTION: Commissioner Cameron moved approval of the recommendations by the Health Insurance Study Committee to adopt adjustment to the HSA employer contribution and changes to the Kaiser HMO health plan as presented. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Carlson recessed the meeting at 9:16 a.m.

Commissioner Carlson reconvened the meeting at 9:30 a.m.

PUBLIC HEARING

9:30 A.M.

Video Time (00:15:28)

CONTRACT REVIEW BOARD

A. Public hearing to consider granting an exemption to allow an alternative competitive process for the Jail HVAC Remediation Project pursuant to Marion County Public Contracting Rules. – Camber Schlag, Larry Tilford

Summary of presentation:

- Contracts and Procurement Manager Camber Schlag presented the “Marion County Findings For Exemption From Contract Review Board Rules For Proposed Jail HVAC Remediation Project For The Marion County Jail” (Attachment A); and
- Public Works Department supports the request for proposal (RFP) process.

Board discussion:

- Public Works has addressed any security concerns;
- Challenge logistically; and
- Inmate relocation during remediation.

Testimony:

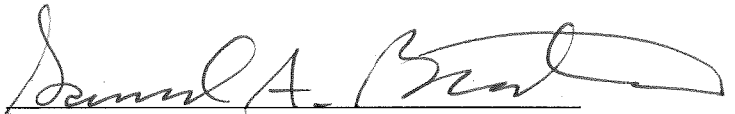
None.

MOTION: Commissioner Cameron moved to close the public hearing and approve an order granting an exemption to allow an alternative competitive process for the Jail HVAC Remediation Project pursuant to Marion County Public Contracting Rules. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.


Commissioner Carlson read the calendar.

Commissioner Carlson adjourned the meeting at 9:42 a.m.


Attachments: (A) Marion County Findings For Exemption From Contract Review Board Rules For Proposed Jail HVAC Remediation Project For The Marion County Jail



CHAIR



COMMISSIONER



COMMISSIONER

This Board Session can be viewed on-line at <https://www.youtube.com/watch?v=LGYvCMH1gSw>.

Notes:
MARION COUNTY FINDINGS
FOR EXEMPTION
FROM CONTRACT REVIEW BOARD RULES
FOR PROPOSED JAIL HVAC REMEDIATION PROJECT
FOR THE MARION COUNTY JAIL

Background

Marion County Business Services Department, Facilities Management Program (County) has been authorized by the Board of Commissioners to proceed with the Jail HVAC Remediation Project for the Marion County Jail. The County has entered into a contract with Solarc Engineering and Energy+Architectural Consulting for architectural and engineering services. The detailed scope of work for the project is in the final stage of completion.

The County's Public Contracting Rules require the use of the traditional invitation to bid on public improvement contracts. Marion County Public Contracting Rules, Section 40-0610(2) identifies a Request for Proposal (RFP) as an alternative contracting method. The Board of Commissioners may authorize alternative contracting methods as an exception for public improvement projects when justified as prescribed in public contracting code.

Findings

The County has identified the RFP solicitation method as the best option because of the critical nature of the work, which requires a greater emphasis on the general contractor's experience and technical ability. The evaluation criteria will be based on assessing the Proposer's ability to do the project, and meeting the time demands of the project. The Proposer must be available to perform the work when the inmates are being relocated within the Jail Facility.

The RFP process allows the department to select the firm best suited for the project based on these and other factors such as past performance and pricing, not solely on lowest bid.

A. Statutory Requirements

Oregon public contracting code as set forth in Oregon Revised Statutes ORS Chapter 279C, allows the use of competitive Request for Proposals (RFP) for public improvement contracts and provides flexibility in both proposal evaluation and contract negotiation under specific conditions and when authorized by the Local Contract Review Board.

ORS 279C.335 also requires the County to hold a Public Hearing before approving the findings. The County gave public notice on September 9, allowing the 14 day notice period and has received no comments.

The findings for the use of an RFP for a public improvement must demonstrate that:

1. It is unlikely that the exemption will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts; and
2. The awarding of public improvement contracts under the exemption will likely result in substantial cost savings to the County or the public.

For public improvement projects, agency findings must address additional factors which are included in our findings, some do not apply.

In reviewing this exemption from competitive bidding, the Local Contract Review Board has considered the following factors:

B. Competition/Favoritism (279C.335(2)(a)):

1. The RFP will be publicly advertised to ensure a fair, open, and competitive process. The Jail HVAC Remediation Project RFP process allows the County to select the firm best suited for the project based on factors such as experience with secured facilities, meet schedule demands, ability to respond to the technical complexity, unique character of the project, past performance, price and other factors specific to the project.
2. The Jail HVAC Remediation Project RFP will include special requirements pursuant to state and local public contracting code to ensure fair and open competition for any subcontractors or sub-consultants. The public improvement firm must follow procedures subject to the applicable state and local public contracting code for soliciting, receiving bids and awarding any subcontracts.

D. Competitive Bidding Strategies

The resulting contract from the RFP alternative procurement process will be treated as a contract for public improvement as defined by public contracting code and will be subject to all requirements for public improvement contracts, including but not limited to hours of labor, retainage and payment, subcontractors, bonds, insurance, warranties, peer reviews, as well as prevailing wage requirements.

E. Conclusion

The use of an alternative contracting method will benefit the public by providing a construction methodology that results in the most likely opportunity to acquire a specialized, technical, peer reviewed and cost-effective solution for the Jail HVAC Remediation for the Marion County Jail.